

Massachusetts Farmland Action Plan and Land Trusts

Conversation with Land Trusts

Wednesday, September 18th at Noon. Online

Katharine Otto, Farmland Action Plan Coordinator



Agenda and Today's Goals

Agenda

- ❖ Introductions (5 mins)
- ❖ Context (20 mins)
 - ❖ Farming in Massachusetts today and looking forwards
 - ❖ Importance of Farmland Action Plan
 - ❖ Implementing the Farmland Action Plan
- ❖ How could Land Trusts get involved? (60 mins)
- ❖ Next steps (5 mins)

Today's Goals

- ❖ Explore how MDAR and Land Trusts can collaborate and coordinate

Getting started

Introductions

Key staff

- Katharine Otto – MDAR Farmland Action Plan Coordinator
- Dave Viale – MDAR Agricultural Lands Programs Supervisor
- Gerard Kennedy – MDAR Director for Division of Agricultural Conservation and Technical Assistance
- Robb Johnson – MLTC

Everyone – please write in the chat box

- Name
- Position
- Organization

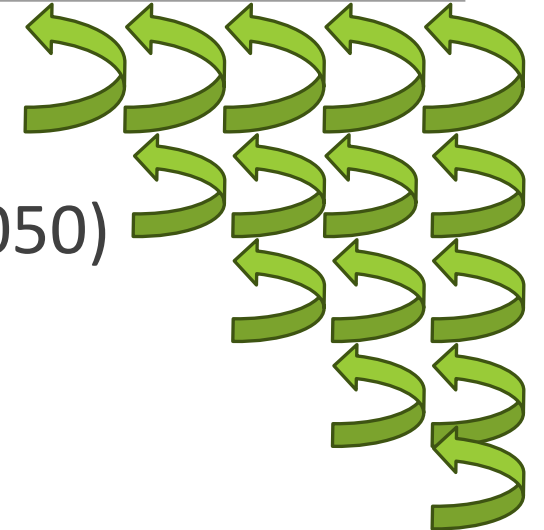
Some quick polls for land trusts

- How big is your service area?
 - Statewide
 - Regional
 - A few towns
 - One town
- Where do you work?
 - Statewide
 - Berkshires
 - CT River Valley
 - Worcester County
 - Northeast
 - Southeast
- How familiar are you with farmland protection?
 - Very
 - Somewhat
 - A little
 - Not at all.
- Does your land trust specifically have a farmland focus/ program?
 - Notable focus
 - We have a little
 - Not yet, but might be interest
 - No, and don't think our land trust would be interested

Context

Bigger picture in Massachusetts: 2030 & 2050

- 1) Decarbonization Road Map (2018 - 2030/2050)
- 2) Forest Action Plan (2020 - 2030)
- 3) Clean Energy & Climate Plan (2022 - 2025/2030/2050)
- 4) Resilient Lands Initiative (2023 - 2030/2050)
- 5) Healthy Soils Action Plan (2033 - 2030/2050)
- 6) Farmland Action Plan (2023 - 2050)



Lots of different plans?

NOT REALLY!

One big initiative in several pieces

What are they trying to do with land?

- Protect more, faster
- Manage
- Restore
- Steward

Plans with many lenses

- Climate Resilience
- Environmental Justice
- Economy
- Urban Areas
- Health
- Food
- Water

Why are farms and farmland important?



Farming in Massachusetts today

According to the 2022 Census of Agriculture, Massachusetts has:

**7,083 farms on
464,451 acres**



of farmland (about 9% of MA land) with
land and buildings worth

\$6.4 billion

13,896 producers* and

14,032 hired farm workers

with a payroll of

\$204 million



\$607

million

of agricultural
products
sold



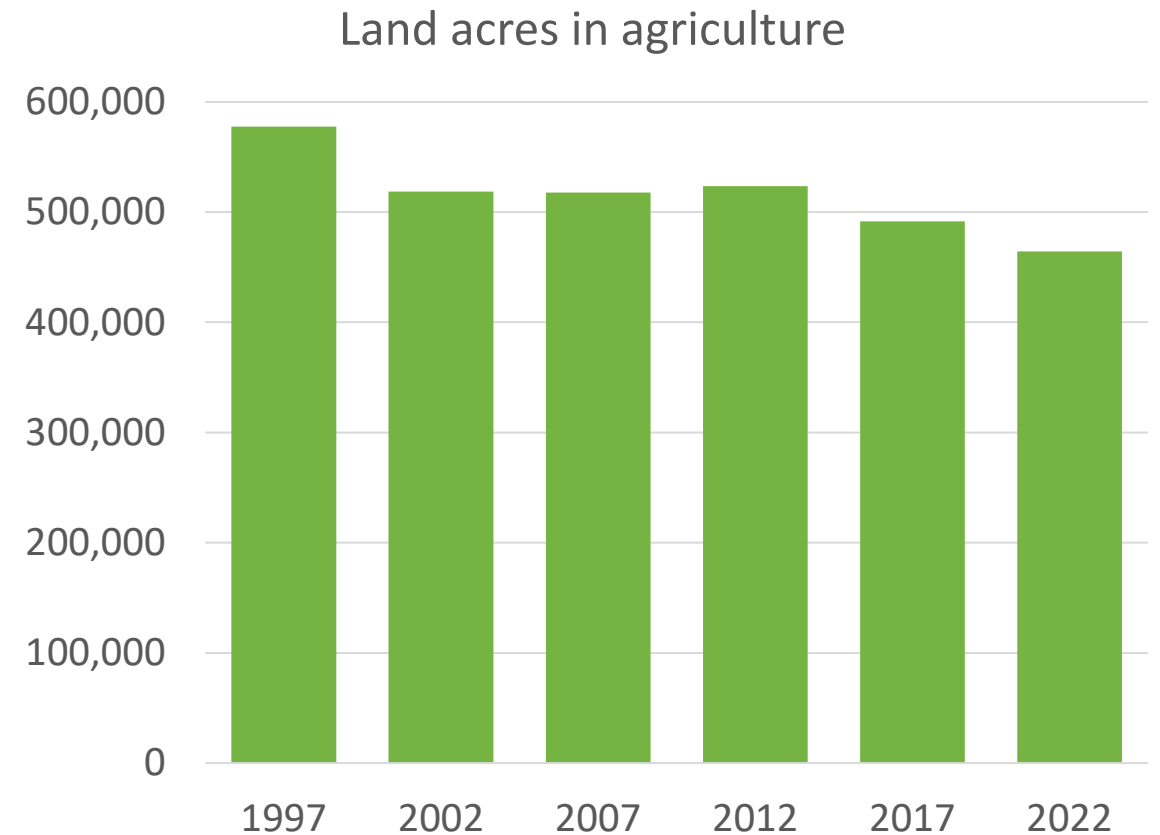
* A “producer” is a person who is involved in making decisions for the farm operation

Why is the Farmland Action Plan important?

We are losing agricultural land fast!

**Between 1997 and 2022
Massachusetts lost 113,000 acres**

- 3.7 times the size of the land area of Boston
- 1.8 times the size of Martha's Vineyard
- 12.4 acres per day



Farms Under Threat

American Farmland Trust's "Farms Under Threat 2040" Report, between 2016 and 2040 Massachusetts, without additional investment and policy changes, is projected to lose



Crisis for agriculture in Massachusetts

Land and climate

- Land prices have risen significantly
- Losing land to competing land uses
- Climate change is exacerbating extreme weather impacts

Economics

- Food system economics favor larger scale farms in other areas
- High input costs so average cost of production is greater than the value of goods produced
 - *Average farm earned 95 cents for every dollar spent on production in 2022*

People and systems

- Farmer population is aging and many do not have plan for after they step away
 - *40% of MA producers are 65 or older in 2022 and most have not identified who will carry on the farm's work*
- Lack of comprehensive statewide land-use planning with clear goals for farmland protection
- Historic and current inequities in accessing farmland

The Plan

What is the Plan?

- State funded
- State coordinated
- Long range strategic initiative
- Statewide, not just for state government
- www.mass.gov/info-details/massachusetts-farmland-action-plan

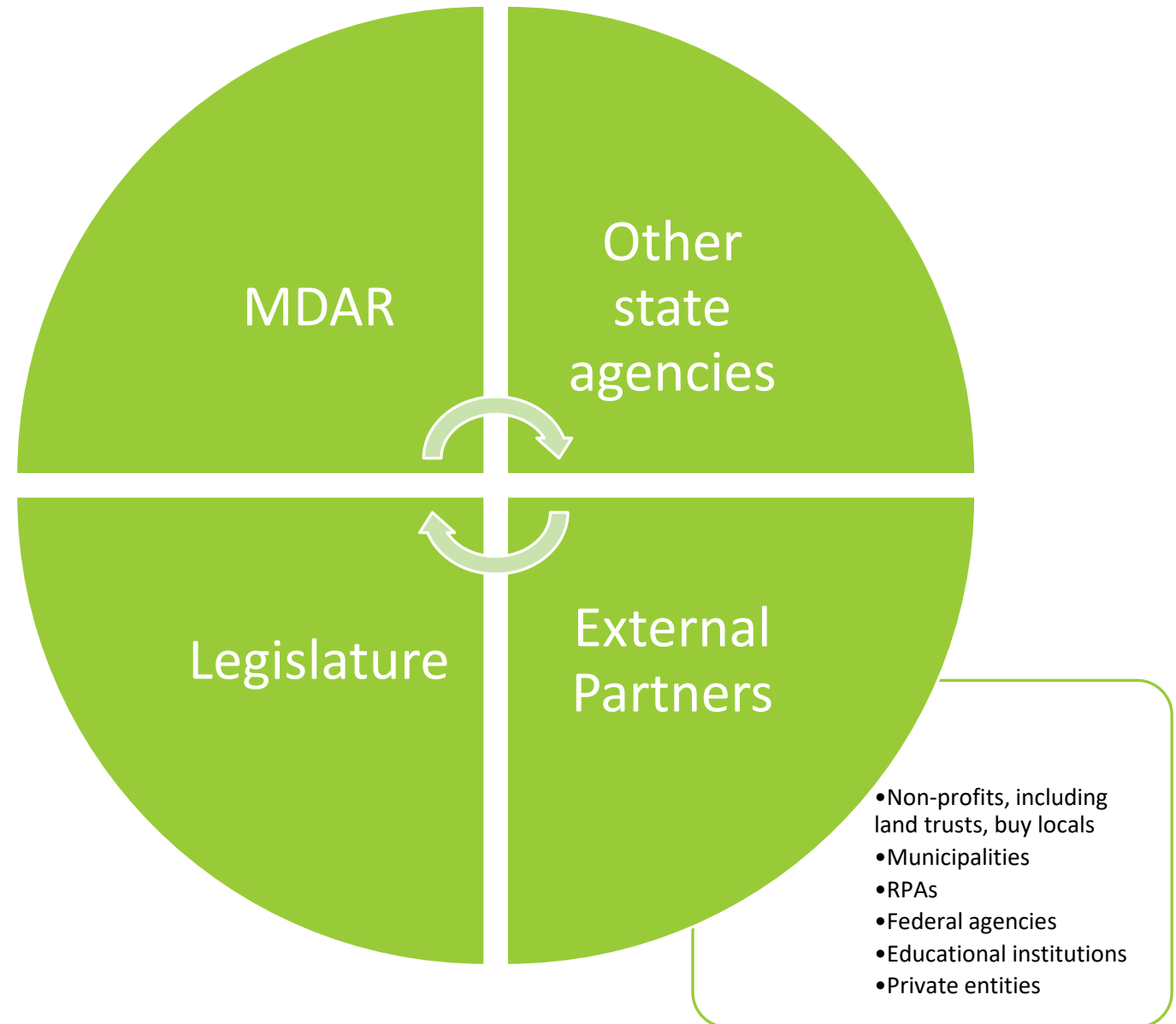


MASSACHUSETTS FARMLAND ACTION PLAN 2023–2050

Who will implement the Plan?

This is a plan for the Commonwealth of Massachusetts.

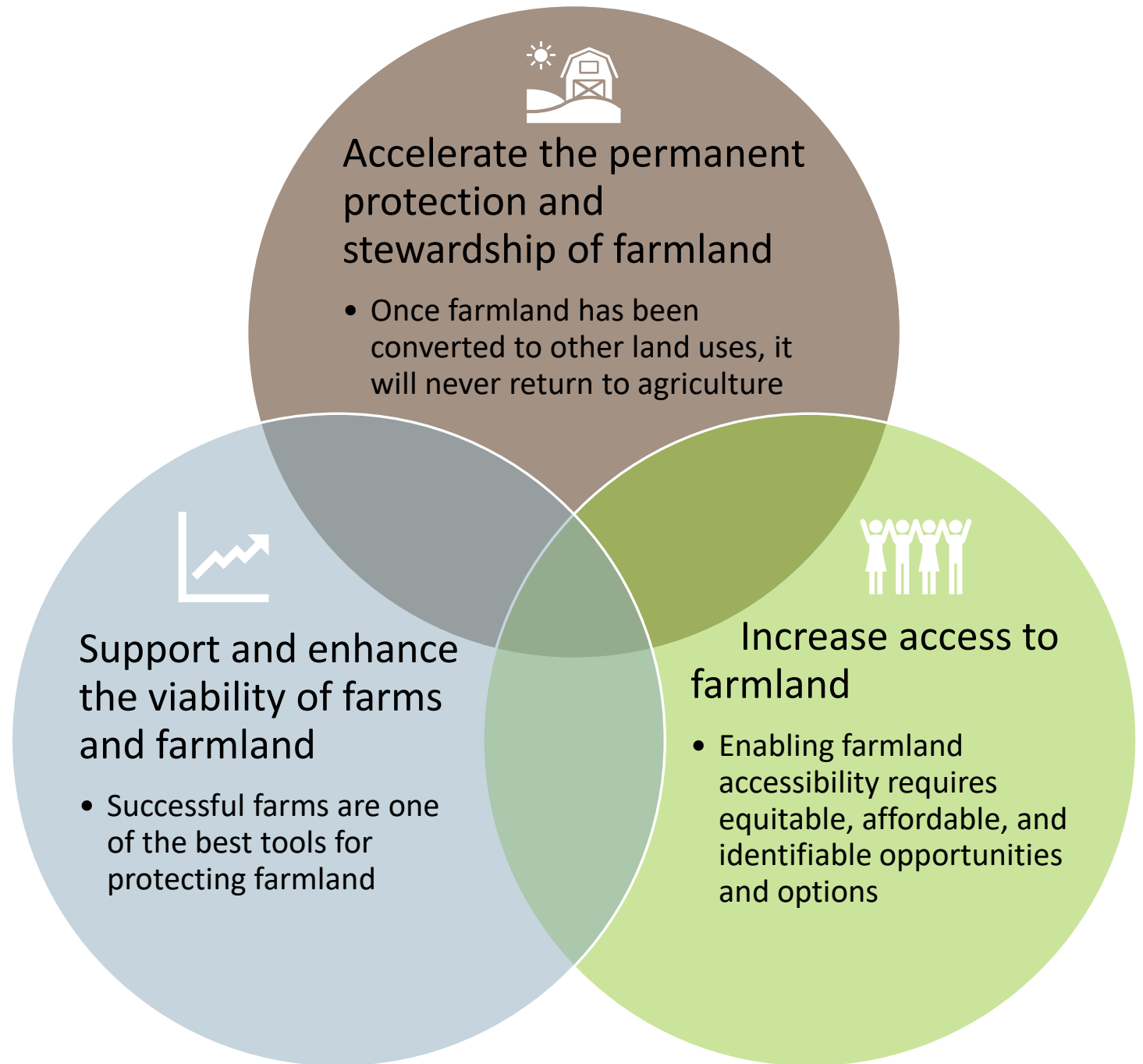
MDAR is promoting, monitoring and facilitating implementation of the Plan, building momentum from existing programs and initiatives.



What are the goals of the Plan?

Three overlapping goals:

- Protection
- Access
- Viability



Overview of the matrix

Goals – what the plan hopes to achieve.

Strategy – clarify what aspects of each Goal will be addressed

Action – direct how each strategy will be advanced

Task – details on how each action will be achieved

4-digit unique ID number



Strategies for each goal



Protection

- A. **Permanently protect farmland through purchases of agricultural restrictions**
- B. Further develop and implement additional tools to avoid farmland loss and retain farmland
- C. Prioritize protection of whole farms
- D. Formalize and integrate decision-making processes regarding farmland protection



Access

- A. Make more land available for agriculture
- B. **Support farm transfer and succession in ways that enhance access to farmland**
- C. Prioritize increased access for BIPOC and historically underserved farmers in all farmland access programs and policies
- D. Support and expand service-provider networks to meet the needs of all farmers and potential farmers.



Viability

- A. Ensure that laws, regulations, programs, and investments support farm viability
- B. Grow resilience and sustainability practices on farms
- C. Increase use of services, programs, and other resources by farmers



All goals

- A. Implement the Massachusetts Farmland Action Plan
- B. Build public support for agriculture and for farmland protection, access and viability

Starting to implement the Farmland Action Plan



Protect and steward land

- Modify how farms are evaluated for protection
- Encourage municipalities to adopt Farmlands of Local Importance (FLI)



Access to farmland

- New state land licenses adjusted to prioritize use by historically underserved farmers (beginning, BIPOC, veterans, limited resource)



Viability of farms and farmland

- New Farm-Pass program to assist farmers to plan on how to pass their farm to the next generation, that results in a farm transfer plan.



General

- Hire Farmland Action Plan Coordinator
- Refine Implementation Matrix

How could Land Trusts
get involved?

Keep your fingers on the buzzer...

Overview of Actions and Tasks

- Polls to assess interest on specific areas
- Then discussion by Goal





Goal - Accelerate the permanent protection and stewardship of farmland

A. Permanently protect farmland through purchases of agricultural restrictions

- Creative financing mechanisms and strategies
- Federal funding
- Additional financial resources
- Prevent conversion
- Build capacity and coordinate
- Long term protection
- Short term covenants
- Stewardship
- Education and engagement

B. Further develop and implement additional tools to avoid farmland loss and retain farmland

- No net loss
- 61a
- CPA
- Underserved access
- State lands
- Solar development
- Zoning & Smart Growth

C. Prioritize protection of whole farms

- Housing
- Infrastructure
- Other land
- Other tenure models
- Funding
- Ecosystem services

D. Formalize and integrate decision-making processes regarding farmland protection

- Agricultural suitability



Purchase ag restrictions

Purchase agricultural restrictions to permanently protect farmland, help increase affordability, and keep it in production (Action I.A.1)

- Significantly expand protection of the Commonwealth's remaining farmland. (Task 1003)

Leverage the maximum amount of federal funding available (Action I.A.3)

- Show demand for federal resources to increase available federal funds (Task 1010)
- Increase use of state, local and regional plans and policies as alternative path for ACEP-ALE eligibility (Tasks 1418, 1016, 1017)
- Communicate more regularly and earlier in project processes with NRCS staff to maximize available federal funds. (Task 1024)

Polls

- How often do you protect farmland?
 - Regularly (at least annually)
 - Occasionally
 - Not at all
- How often do you seek federal funding for protecting farmland?
 - Regularly (at least annually)
 - Occasionally
 - Not at all, but interested to learn more
 - Not at all and not interested



Awareness of protection options

Increase awareness and understanding of permanent protection options including APR, ALE, and non-ALE protection programs.

(Action I.A.11)

- Promote farmland protection and programs to municipalities, financial institutions, development entities, farmers, real-estate professionals, appraisers, and others. Prioritize communities that have been historically underserved communities. (Task 1061)
- Education and resources on Chapter 61A, APR, etc (Task 1062)
- For properties at risk of turnover or conversion, educate owners about APR opportunities. (Task 1066)

Build capacity of state agencies, land trusts, municipalities, and other entities to protect land. (Action I.A.6)

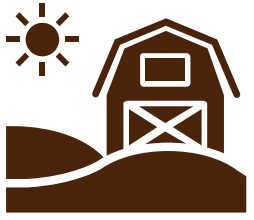
- Educate land trusts and municipalities about the availability of the NRCS ACEP-ALE program for private APRs. (Task 1049)

Increase the number of applications to APR, ALE, and non-ALE protection programs. (Action I.A.7)

- Enhance and promote a track within the APR Program that is not tied to NRCS funding or requirements. (Task 1070)

Polls

- How comfortable are you with different protection options?
 - I know quite abit
 - I know alittle
 - I don't know much
- Which types of protection methods do you prefer for farmland? (Choose all that apply)
 - APR (MDAR holds the restriction)
 - Private APR (MDAR doesn't hold restriction)
 - CR
 - Fee simple ownership
 - Limited term covenants (eg as part of Farm Viability Enhancement programs)
- How comfortable would you be to educate others on different protection options with others?
 - Comfortable to do it now
 - Comfortable if I could have some training and resources
 - Not comfortable



Zoning reform and smart growth

Action I.B.7 - Advance zoning reform and smart growth policies that encourage density and development that do not result in the loss of farmland.

- Enable and incentivize communities to take actions to retain farmland and promote infill and compact development without adversely impacting farmers' equity and asset value in their land. (Task 1123)
- Encourage communities to adopt zoning regulations for Transfer of Development Rights (TDR) as a farmland protection tool. (Task 1124)
- Educate municipalities about the use of conservation subdivision/natural resources protection zoning and accessory apartment bylaws as tools to promote compact development and provide technical support to communities seeking to adopt and use these zoning tools. (Task 1125)

Poll

- Would you be interested to get involved with these zoning and smart growth tasks?
 - I already do them
 - I do them a little, but would be interested to spend more time on them
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this



CPA

Identify opportunities to increase CPA funding and its application to protect farmland and affordable on- and off-farm housing. (Action I.B.3)

- Encourage all municipalities to adopt the CPA, create conservation commission funds, and fund them for agricultural land protection projects as consistent with the CPA statute. (Task 1110)
- Explore with relevant officials and stakeholders potential revisions to the CPA that would provide additional funding to the Trust and that will allow it to keep up with increasing land costs over time. (Task 1111)
- Encourage land trusts and the Community Preservation Coalition to provide support to municipalities on CPA adoption and its use to protect farmland. (Task 1112)
- Develop a process for communities to quickly use CPA funds for purchase of agricultural land and/or CRs and APRs, such as borrowing and bonding against future CPA income to create a fund that can be accessed without further need for authorization, including in the situation of Chapter 61A ROFR. (Task 1113)
- Provide technical assistance to town community preservation committees, agricultural commissions, and land trusts about how CPA funds can be used to support farmland protection as well as affordable housing associated with farmland. (Task 1114)

Polls

- What do you think about these CPA tasks?
 - I already do them
 - I do them a little, but would be interested to spend more time on them
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this



Statewide Prioritization

Create a state-level prioritization of farmland for protection similar to Biomap, TNC's resilient lands, Mass Audubon's MAPPR (Mapping and Prioritizing Parcels for Resilience), etc. (Action I.D.1)

- Establish a working group to develop priorities for land to be protected, such as considerations for geographic equity; soils; crop diversity; forest cover; parcel size; emerging agricultural practices such as silvopasture, nut tree operations, permaculture, etc.; proximity to environmental justice communities, markets, other protected land; etc. The working group should include farmers, MDAR, NRCS, planners, and others.
- Communicate the working group's priorities to land trusts and conservation organizations to encourage their work to align with state priorities.

Polls

- Are interested to get involved with prioritizing farmland on a statewide level?
 - I would be interested
 - I might be interested
 - I'm not sure our land trust would want to do this



Other protection related tasks

Identify and secure additional resources to purchase farmland in fee and via restrictions and to steward protected properties. (Action I.A.4)

- Leverage private-sector support through public-private partnerships, private philanthropy, corporations, direct-giving programs, community groups, and others. (Task 1028)

Increase the number of applications to APR, ALE, and non-ALE protection programs. (Action I.A.7)

- Explore making available installment or annuitized purchases of APRs. (Task 1430)
- Create watchlists of important farmland properties that are not yet protected and prioritize them in terms of threat of loss and importance, and support municipalities and land trusts in doing the same. (Task 1059)

New task being considered

- Increase involvement of land trusts in the NRCS State Technical Committee and the Easements Sub-Committee

Polls

- Would you be interested to explore installment or annuitized purchases of APRs?
 - I already do them
 - I do them a little, but would be interested to do more
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this
- Would you be interested to create watchlists of important farmland?
 - I already do them
 - I do them a little, but would be interested to do more
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this
- How aware are you of the NRCS State Technical Committee?
 - I already attend and get involved
 - I attend but would like to get more involved
 - I'm interested to learn more
 - I'm not sure our land trust would want to do this

What are the barriers?

What are the potential barriers to you getting involved in the tasks we've been talking about?

Please write in the chat box potential barriers as you think of them.

Some examples we can think of:

- Mission/ Vision of organization
- Staff capacity (hours in the day)
- Knowledge/ skills
- Regional issues/ needs
- Others?

Feel free to suggest in your own words, with specific nuances on what we are thinking also!

Protection tasks

Purchase ag restrictions

- Purchase agricultural restrictions
- Maximize use of federal funds
- Use state, regional and local plans for NRCS eligibility

Increase awareness of protection programs

- Promote to other entities, include municipalities
- Diversify awareness of various funding options

Prioritization

- Assist with prioritizing farmland on a statewide level

Discussion (10 minutes)

Any comments or questions related to Protection tasks?

- Please keep your comment brief to allow others to speak
- Use “reactions” to show you agree or disagree

Zoning reform and smart growth

- Work with municipalities
- Zoning, smart growth, TDR

CPA

- To protect farmland
- For on- and off-farm housing

Other

- Diversify funding sources
- Payment installments
- Watchlists for important farmland that is not yet protected
- Increase land trust involvement in NRCS State technical committee



Goal – Increase access to farmland

A. Make more land available for agriculture

- Agricultural suitability
- State land licensing
- Urban agriculture
- Private leases
- Tribal lands
- Farmland Restoration
- Conservation Restrictions
- Farm Incubators

B. Support farm transfer and succession in ways that enhance access to farmland

- Education and technical assistance
- Protected lands
- Registries

C. Prioritize increased access for BIPOC and historically underserved farmers in all farmland access programs and policies

- Programs and policies
- Prioritization and accessibility

D. Support and expand service-provider networks to meet the needs of all farmers and potential farmers.

- Diversification
- DEI training
- Business technical assistance
- Capacity building
- Resource toolbox
- Land search



Publicly held land

Assess all existing, publicly held land for its suitability for agriculture and make more of it available for agriculture. (Action II.A.1)

- Work with state agencies and departments, counties, and municipalities to identify and publicly list all publicly owned land that is either in current agricultural production or suitable for agricultural production. Consider each parcel for inclusion in the farmland licensing program (Task 1157)

Polls

- Would you be interested to help with assessing publicly held land for agriculture?
 - I already do them
 - I do them a little, but would be interested to do more
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this



Farm and farmland transfer

Action II.B.1 - Support and expand farmland transfer and farmland succession education and one-to-one technical assistance (TA)

- Disseminate information to farmers and non-farmer landowners. (Task 1203 and 1205)
- Incentivize participation for owners of land with APR and CRs. (Task 1204)
- Include farm transfer planning in farm business planning, training, and outreach at all stages of farm business life cycle. (Task 1206)
- Increase awareness of farmland linking and listing tools such as New England Farmland Finder. (Task 1208)
- Encourage protection that result in the transfer of farmland to a next-generation farmer. (Task 1215)

Polls

- Would you be interested to help with farm and farmland transfer?
 - I already do
 - I do them a little, but would be interested to do more
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this



Working with Historically Underserved Farmers

Explore options to expand and strengthen equity and diversity criteria for applications for agricultural use of public land, and prioritize access for historically underserved, new, aspiring, and low-income farmers. (Action II.C.2)

- Provide technical assistance (TA) to applicants in completing program applications through non-profits and other TA organizations. (Task 1234)
- Engage with local organizations to determine the farmland needs of a community and when conducting outreach and publicizing availability of farmland. (Task 1237)

Action II.A.4 - Increase the amount of privately leased farmland, coupled with agreements designed to meet the needs of farmers.

- Explore and establish novel, alternative methods of land tenure to meet the needs of beginning, BIPOC, and other historically underserved communities with limited equity or credit. (Task 1192)

Polls

- Would you be interested to help historically underserved farmers with applications related to access to land?
 - I already do
 - I do them a little, but would be interested to do more
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this
- Would you be interested to help with assessing needs and publicizing available farmland?
 - I already do
 - I do a little, but would be interested to do more
 - I don't do it now, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this
- Would you be interested to exploring novel land tenure models?
 - Very interested
 - Maybe interested
 - I'm not sure our land trust would want to do this



Other access tasks

Enhance existing registries and establish new registries of lands that allow agriculture, including owners' names, contact information, property information, and types of agriculture. (Action II.B.3)

- Compile and keep current a database and map of privately held CRs that allow agriculture. (Task 1217)

Contract with NGOs, consultants, and others with the capacity to provide business technical assistance services, including succession transfer planning, to farmer clients. (Action II.D.3)

Develop capacity of service providers like financial institutions, real-estate professionals, and attorneys to better support farms. (Action II.D.4)

- Educate/train realtors and attorneys on how to appropriately list and develop purchase agreements for CRs and APRs. (Task 1244)

Polls

- For your area, do you know where privately held CRs that allow agriculture are?
 - Yes, I have a readily available list
 - Yes, but I'd have to do a little digging
 - No, but I'd be potentially interested
 - I'm not sure our land trust would want to do this
- Would you be interested to develop capacity of service providers so they can better support farms?
 - I already do
 - I do a little, but would be interested to do more
 - I don't do it now, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this

Access tasks

Publicly held land

- Assess publicly held land for agriculture

Farm and farmland transfer

- Education and outreach

Working with Historically Underserved Farmers

- Technical assistance
- Assessing needs and publicizing available land
- Explore novel land tenure models

Other

- Privately held CRs available for agriculture
- Capacity of service providers to better support farmers

Discussion (10 minutes)

Any comments or questions related to Access tasks?

- Please keep your comment brief to allow others to speak
- Use “reactions” to show you agree or disagree

Definition - Historically Underserved Farmer (HUF)

- Limited resource (low income)
- Socially disadvantaged (including BIPOC)
- Veteran
- Beginning farmer (less than ten years farming)



Goal - Support and enhance the viability of farms and farmland

A. Ensure that laws, regulations, programs, and investments support farm viability

- APR Program flexibility
- Right to Farm Bylaws and Ag Comms
- Grants and financing
- Local taxation, policy and regulations
- Decision making
- Support industries
- Urban agriculture
- Farm infrastructure
- Service providers
- Financial facilitation

B. Grow resilience and sustainability practices on farms

- Climate change technical assistance
- Soils on public lands
- Non-market contributions
- UMass Extension

C. Increase use of services, programs, and other resources by farmers

- Strategic outreach
- Technical assistance
- MDAR programs
- Education



Education and outreach

Develop and implement a strategic outreach and education communications plan to promote public and private resources available to farmers. (Action III.C.1)

- Work with the MLTC, municipalities, RPAs, Buy Locals, and state agencies to develop outreach material with uniform messaging that can be utilized by all entities. (Task 1344)
- Develop online and print materials for outreach to landowners. Ensure that publications like Land Conservation Options: A Guide for Massachusetts Landowners and Your Land, Your Legacy are kept up to date and easily available digitally and in hardcopy. (Task 1345)
- Educate farm sellers and buyers of CR and APR land, including resolution of any outstanding violations, restriction terms, approvals needed, eligibility for ROFR and OPAV waivers, and how to put together a complete packet of information to enable a smooth and expedient review. (Task 1388)

Polls

- Would you be interested to get involved with developing outreach materials?
 - Definitely
 - Maybe
 - I'm not sure our land trust would want to do this
- Would you be interested to help with educating farm sellers and buyers?
 - I already do
 - I do a little, but would be interested to do more
 - I don't do it now, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this



Other viability tasks

Make it easier for farmers to seek and obtain grants and financing. (Action III.A.3)

- Provide more technical assistance to assist farmers with compiling grant applications and increase interest in grants from a broader range of farmers. (Task 1262)

Explore opportunities to modify local taxation, policy and regulations to support farming. (Action II.A.4)

- Explore provision of incentives to communities that enact farm-friendly zoning and tax policies. (Task 1281)

Polls

- Would you be interested to help with grant applications?
 - I already do
 - I do them a little, but would be interested to do more
 - I don't do them, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this
- Would you be interested to get involved with encouraging farm-friendly zoning and tax policies?
 - I already do
 - I do a little, but would be interested to do more
 - I don't do it now, but would be interested to
 - I might be interested to do them
 - I'm not sure our land trust would want to do this

Viability tasks

Promote public and private resources to farmers

- Outreach materials
- Educating farm buyers and sellers

Grants

- Assist farmers with writing grant applications
- Increase awareness of grant programs

Other

- Encourage farm friendly zoning and tax policies

Discussion (10 minutes)

Any comments or questions related to Viability tasks?

- Please keep your comment brief to allow others to speak
- Use “reactions” to show you agree or disagree



Supporting all the goals

Hire Farmland Action Plan Coordinator

Implement the Farmland Action Plan

- Encourage partners and partnerships that can implement the plan.
- Support BIPOC and other historically underserved farmers and organizations involvement.
- Monitor and report on the impact of farmland programs to demonstrate the success, inform changes, and identify needs.
- Map and track farmland (APRs, CRs, Chapter 61A, and more).
- Research and report on agricultural incentive models used in other states and countries.

Build public support for agriculture and for farmland protection, access and viability

- Education and outreach for residents and elected officials
- Comprehensive plan

All goals tasks

Map and track farmland, APRs, private APRs, CRs with farmland, land in Chapter 61A, farmland protected with Conservation Land Tax Credit funds, and farmland protected with Community Preservation Act funds. (Action All.A.4)

- Track and make public annual accounting of how much new land has been protected (Task 1388)
- Track and make public annual accounting of how much new land has been converted into agricultural production. (Task 1434)

Discussion (5 minutes)

Any comments or questions related to “All Goals” tasks?

- Please keep your comment brief to allow others to speak
- Use “reactions” to show you agree or disagree

Poll

- Do you regularly submit updates to the statewide Protected and Recreational Open Space GIS layer?
 - Yes, at least annual
 - Yes, occasionally
 - Not right now

Equity and EJ questions

Several tasks with specific focus on equity and EJ throughout the plan.

- Do you have Equity and EJ initiatives that could be adapted to also include farming and farmland?
- Do you reimburse Subject Matter Experts (SMEs) and participants, directly or indirectly, for some or all of your programs?
- Any other thoughts?

Next steps

Next steps

- ❖ How does the Farmland Action Plan aligns with your land trust's work?
 - ❖ Re-read slides from today
- ❖ How can we partner and collaborate more?
 - ❖ Between land trusts
 - ❖ Between MDAR and land trusts
- ❖ Email Katharine to sign up for email updates
- ❖ Follow up discussions focusing on specific tasks or groups of tasks
- ❖ Reach out to Katharine with questions

Farmland Action Plan Webpage
www.mass.gov/farmland-action-plan

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Additional discussion and questions

AS TIME ALLOWS



For more more information or questions

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